

# UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF TEXAS

Dr. Michael Moates

Plaintiff

v.

STATE OF NORTH CAROLINA,

STATE OF TEXAS,

STATE OF VIRGINIA, AND

STATE OF NEVADA

Defendants

Case No.: 4:23-cv-00772

**JURY TRIAL DEMANDED**

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**PROPOSED ORDER ON PLAINTIFF'S**

**EMERGENCY MOTION FOR**

**TEMPORARY RESTRAINING ORDER**

Upon consideration of the Plaintiff's Emergency Motion for Temporary Restraining Order and the accompanying brief, and for the reasons set forth therein,

IT IS HEREBY ORDERED that:

A Temporary Restraining Order is GRANTED, effective immediately.

The Defendants, their officers, agents, servants, employees, and all persons in active concert or participation are RESTRAINED and ENJOINED from enforcing the Behavior Analyst Certification Board (BACB) certification requirement for licensure.

This Temporary Restraining Order shall remain in effect until the Court rules on the Plaintiff's Motion for Preliminary Injunction or until further order of this Court.

The Plaintiff shall provide security in the amount of \$\_\_\_\_\_, pursuant to Rule 65(c) of the Federal Rules of Civil Procedure.

The Defendants shall receive a copy of this Order, the Motion, and all supporting documents. They shall be allowed to respond in accordance with the Federal Rules of Civil Procedure.

A hearing on the Plaintiff's Motion for Preliminary Injunction is set for \_\_\_\_\_  
\_\_\_\_\_, when the parties shall present evidence and argument on whether  
this Temporary Restraining Order should be converted into a Preliminary Injunction.

IT IS SO ORDERED.

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**JUDGE REED O'CONNOR**

Plaintiff commits to making every conceivable effort to notify the Defendants of this motion for a temporary restraining order. This notification will be comprehensive, utilizing multiple channels to ensure timely and effective communication. Specifically, the Defendants will be notified via mail, ensuring a physical record of the communication. In addition, fax transmissions will be sent to all available fax numbers associated with the Defendants, providing an immediate electronic record of the communication. To further ensure that the Defendants are promptly and adequately informed, phone calls will be made to the appropriate parties, during which the Plaintiff will request an email address to which the motion for a temporary restraining order can be sent directly. This multi-pronged approach ensures that the Defendants are fully aware of the motion and have ample opportunity to respond. The Plaintiff recognizes the importance of clear and open communication and is committed to ensuring that the Defendants are fully informed at every stage of the process.

**/s/ Michael Moates, EdD, Pro Se**

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